

ATTORNEY'S DOCKET NO: S1237/7011(ERP)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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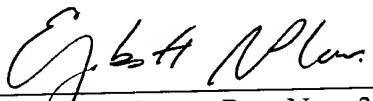
Applicant: Kenneth Walsh
Serial No: 09/408,905
Filed: September 29, 1999
For: AKT Compositions for Enhancing Survival of Cells
Examiner: Nickol, G.
Art Unit: 1642

DEC 04 2000

TECH CENTER 1600/2900

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, Washington, D.C. 20231, on the 6th day of November, 2000.


Elizabeth R. Plumer, Reg. No. : 36,637

Commissioner for Patents
Washington, D.C. 20231

THIRD STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311. The fee of \$240 as set forth in 37 C.F.R. §1.17(p) is enclosed.

PART II - Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

11/13/2000 BHABTEW 00000028 09408905

01 FC:126 180.00 OP

Repln. Ref: 11/13/2000 BHABTEW 0008403200

DAH:232825 Name/Number:09408905

FC: 704 \$60.00 CR

PART III: Remarks

A copy of each of the above-identified information is enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

Kenneth Walsh, Applicant(s)

By: 

Elizabeth R. Plumer, Reg No. 36,637
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600 Atlantic Avenue
Boston, MA 02210
Telephone (617) 720-3500

Docket No. S1237/7011(ERP)

Dated: November 6, 2000

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GAU 1642 A
P#174
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Elizabeth R. Plumer, Reg. No. 36,637

COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Sir:

Transmitted herewith are the following documents:

- [X] Third Statement Filed Pursuant to the Duty of Disclosure under 37 CFR §1.56, 1.97, and 1.98
- [X] Form PTO-1449 (Modified)
- [X] Reference cited
- [X] Return Post Card

If the enclosed papers are considered incomplete, the U.S. Patent and Trademark Office is respectfully requested to contact the undersigned at (617)720-3500, Boston, Massachusetts.

A check in the amount of \$240 is enclosed. Please charge any underpayment or credit any overpayment to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

By:

Elizabeth R. Plumer, Reg. No. 36,637
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, MA 02210
Tel. (617)720-3500

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